

IN RE: PETITION FOR SPECIAL EXCEPTION  
NW/Cor. Monkton Manor Road and Old York Road (3100 Monkton Road)  
10th Election District  
3rd Councilmanic District  
Vestry of St. James Church  
Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY  
Case No. 88-427X

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a church and private school in an R.C.2 Zone, as more particularly described on Petitioner's Exhibit 1.

This matter came before the Zoning Commissioner on April 20, 1988, at which time the Petitioner, by the Reverend Heyward H. Macdonald, Rector, appeared and testified and was represented by Counsel. Also testifying on behalf of the Petitioner were Eugene F. Raphael, a registered property line surveyor and site planner, and Albert Rubeling, Jr. and David Recchia, architects with the firm of Albert Rubeling, Jr. and Associates. Counsel for the Petitioner submitted a proffer with regard to two witnesses who were present and available to testify, namely, Elizabeth Langenhauer, the Headmistress of St. James Academy, and Richard A. Moore, a trustee of St. James Church and the chairman of its capital campaign committee. Wallace S. Lippincott, the rural area community planner with

ORDER RECEIVED FOR FILING  
Date 5/6/88  
By Mr. D. J. D. D.

Vestry of St. James Church  
NW/Cor. Monkton Manor Road & Old York Road  
10th E. D.  
88-427X

exception would not adversely impact the conditions and requirements listed in Section 502.1 of the Baltimore County Zoning Regulations.

The Petitioner seeks a special exception pursuant to Section 1A01.2.C.6 and 19, pursuant to Section 502.1, Baltimore County Zoning Regulations (B.C.Z.R.).

It is clear that the B.C.Z.R. permits the uses requested by the Petitioner in an R.C.2 zone by special exception. It is equally clear that the proposed uses have existed in fact long before the adoption of zoning regulations in Baltimore County and would not be detrimental to the primary agricultural uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed uses meet the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has shown that the proposed uses would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed uses at the particular location described by

the Office of Planning and Zoning, appeared in order to explain that departments comments concerning the request. There were no protestants.

Testimony indicated that the subject property is zoned R.C.2 and is comprised of a 33 acre, more or less, portion of a total 80 acre tract owned by the Petitioner. The school and church buildings are located on the northwest side of Monkton Manor Road, northwest of its intersection with Old York Road and within the My Lady's Manor historic district.

St. James Church has existed on its present site and in its present building since 1750. According to the testimony of Reverend Macdonald, the Church has grown in membership from 183 families and individuals eight years ago to 320 today. In 1881, a school was open in the building adjacent to the church and then in 1956 the present St. James Academy was begun. St. James Academy now has enrolled 144 students in grades K through six with approximately 24 professional staff and the school has been approved by the State of Maryland and accredited by the Association of Independent Maryland Schools. The existing school building has also been used as a community building for numerous community-wide support groups, including Alcoholics Anonymous meetings, Red Cross CPR classes, Red Cross Bloodmobile drives, and, it also houses the church offices. The Petitioner proposes to construct a 18,875 sq. ft. addition to the existing 16,480 sq. ft. school building to permit the

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Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such special exception uses, irrespective of their location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed uses will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting or property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception for a church and private school should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6<sup>th</sup> day of May, 1988, that the Petition for Special Exception for a church and private school in an R.C.2 zone be and is hereby GRANTED, from and after the date of this ORDER; Subject however to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own

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By Mr. D. J. D. D.

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school to expand the level of academic facilities and service to its students. According to Reverend Macdonald, the proposed construction reflects past growth and no major growth in the student population is planned. The Petitioner anticipates that approximately 40 more students may become enrolled at St. James Academy over the next five (5) years. The Petitioner desires to commence construction immediately upon the issuance of all building permits and plans to have the new building ready for occupancy by January, 1989.

The Petitioner's architects, Albert Rubeling, Jr. and David Recchia, testified that approximately eleven separate building designs had been considered before the final design was approved by the Petitioner's Board of Trustees. Consideration was given to the need for compatibility within the subject historic district before the final design was accepted. According to the Petitioner's architects, site constraints were posed by the location of the church cemetery, existing tennis courts, and other improvements already existing on the site. In response to the generally supportive comments of the Office of Planning and Zoning, the Petitioner's architects testified that an "L-shape" configuration for the addition was studied but had to be ruled-out due to a number of legitimate architectural, site planning and budgetary feasibility considerations.

According to the Petitioner, the site plan and proposed elevations were reviewed with representatives of the Greater

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risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioner shall comply with all requirements as set forth in the comments submitted by the Department of Environmental Protection and Resource Management attached hereto and made a part hereof.

J. Robert Haines  
J. Robert Haines  
Zoning Commissioner of  
Baltimore County

SJN/emd

cc: Mr. Wallace S. Lippincott  
Office of Planning and Zoning

Heyward H. Macdonald, Rector  
Vestry of St. James Church

People's Counsel for  
Baltimore County

Stephen J. Nolan, Esquire

ORDER RECEIVED FOR FILING  
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By Mr. D. J. D. D.

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Sparks-Glencoe Improvement Association who advised Reverend Macdonald that they were not opposed to the proposed addition. According to the Petitioner's witnesses, every effort has been made to ensure compatibility with the historic church while at the same time providing much needed new classroom space, a science and computer laboratory, language laboratory, gymnasium, office space and a library. At the present time, two temporary mobile office trailers are being used to house certain school support services on an emergency basis.

Mr. Lippincott testified that the Office of Planning and Zoning was supportive of the proposed expansion, but was concerned with the proposed location of the addition. Mr. Lippincott noted that if the addition had been planned in an "L-shape" or some other fashion, the grading which his office considered to be extensive and certain site distance problems could possibly be avoided. Mr. Raphael responded on behalf of the Petitioner, in part, that the proposed location of the addition would not involve extensive grading but was well within Baltimore County standards. Mr. Raphael also pointed out that the area involved was a man-made slope which resulted from the construction of the existing soccer field. Based upon his expert review of the project and his long-standing familiarity with the neighborhood, Mr. Raphael testified that the proposed special exception would not be detrimental to the primary agricultural uses in the vicinity and that the proposed special

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Date 5/6/88  
By Mr. D. J. D. D.

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 88-427-X, Zoning Advisory Committee Meeting of February 9, 1988

Property Owner: Vestry of St. James Church

Location: NW/Cor. Monkton Manor Rd. & Old York Rd. District 10

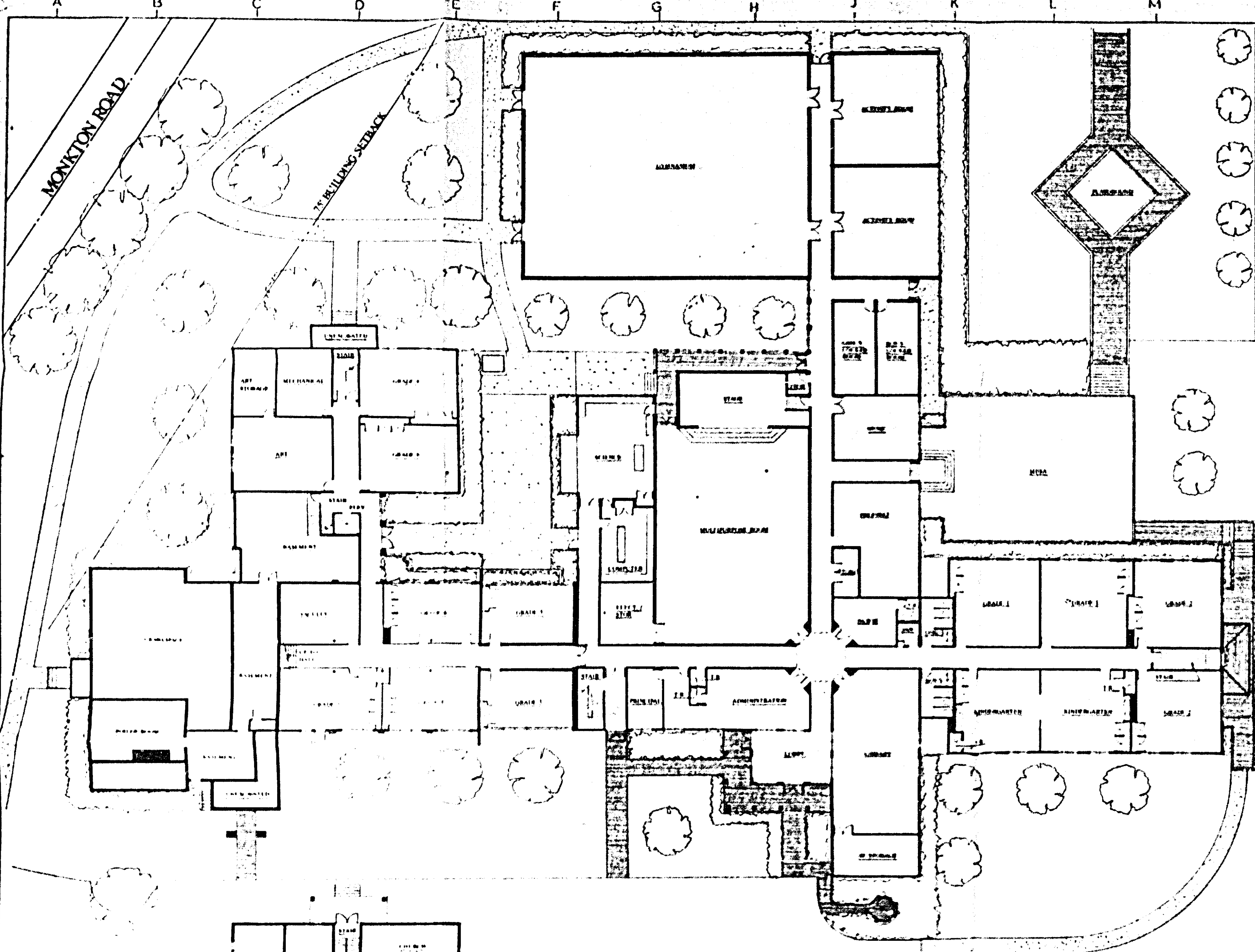
Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

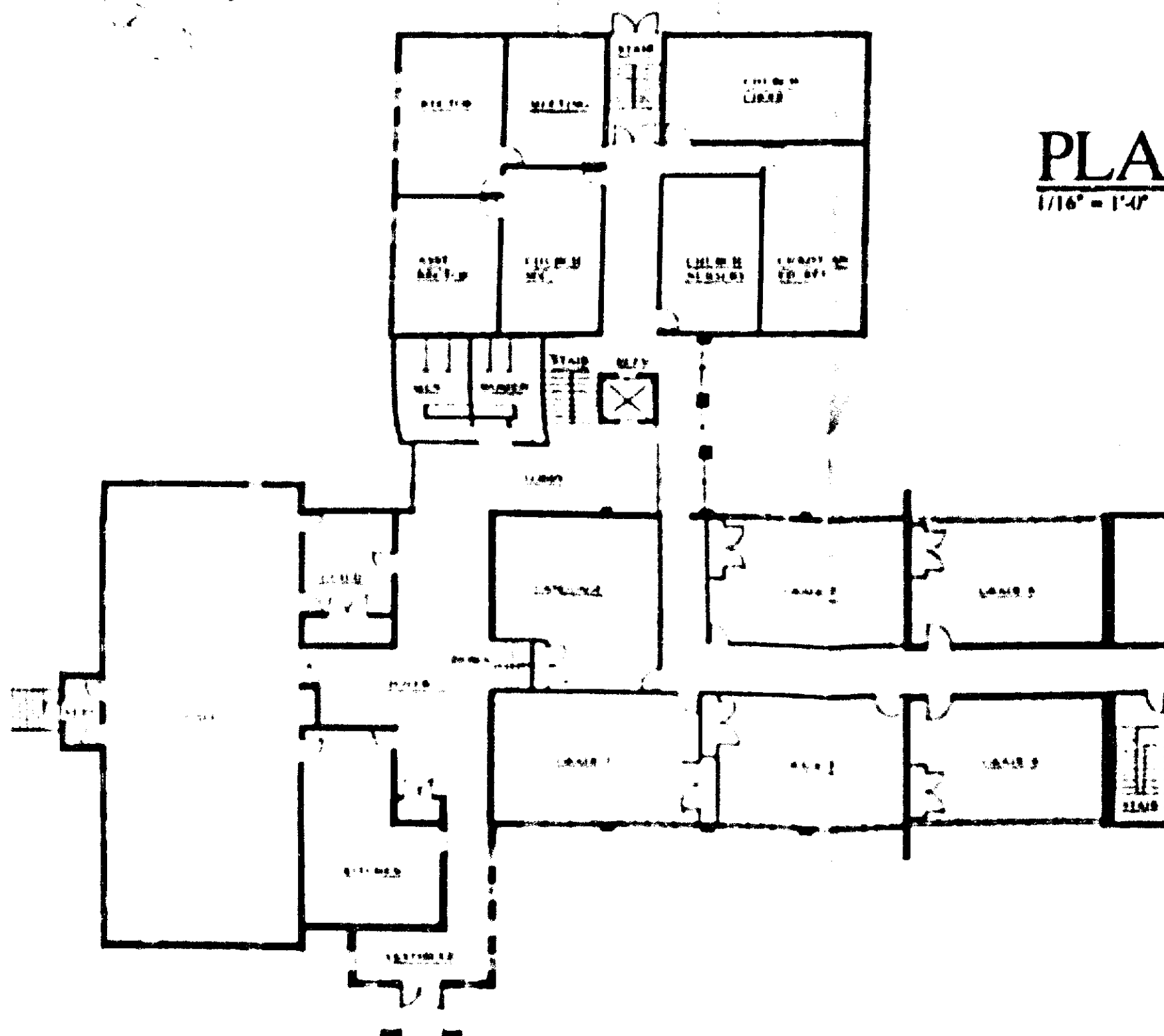
- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to raising of existing structures, Petitioner must contact the Division of Waste Management at 494-3748, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and then removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3748.
- ( ) Soil percolation tests have been conducted. The results are valid until 12/31/88. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until ( ) is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Application.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ( ) Others

Karen M. Murray  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT





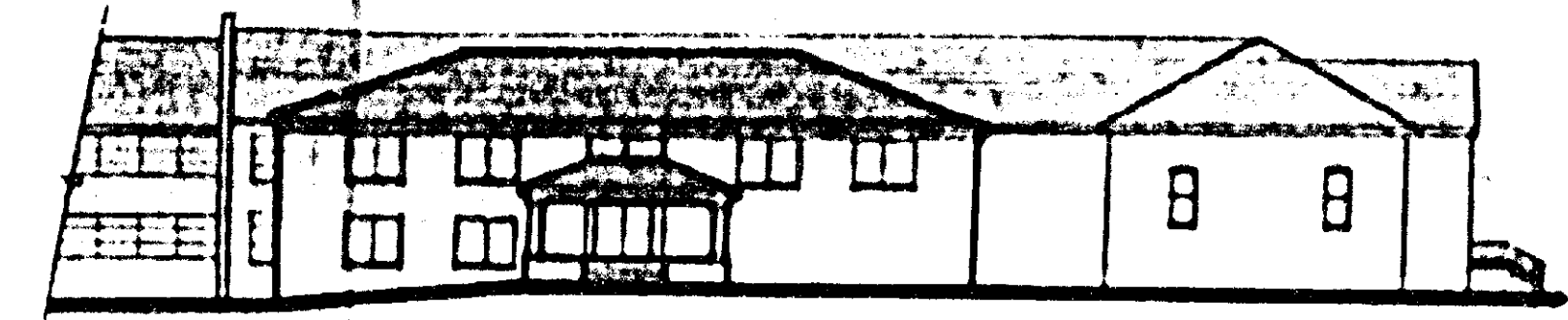
PLAN - LOWER LEVELS  
1/16" = 1'-0"



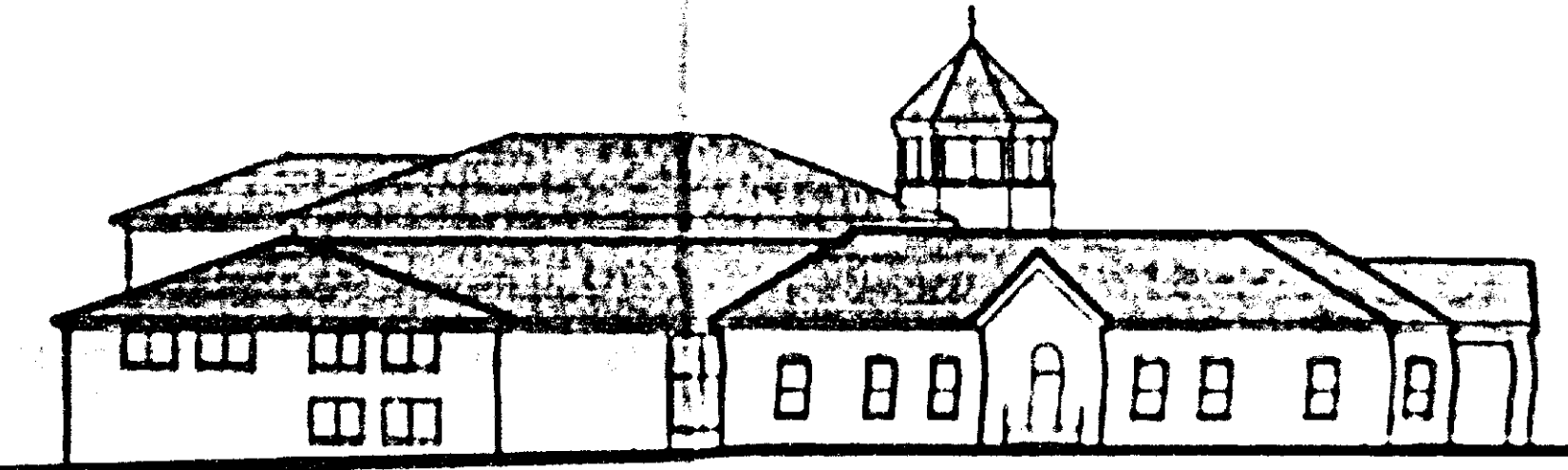
PLAN - UPPER LEVELS  
1/16" = 1'-0"



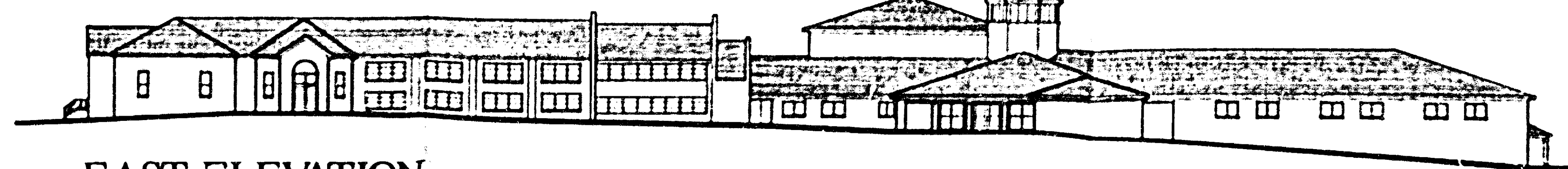
NORTH ELEVATION  
1/16" = 1'-0"



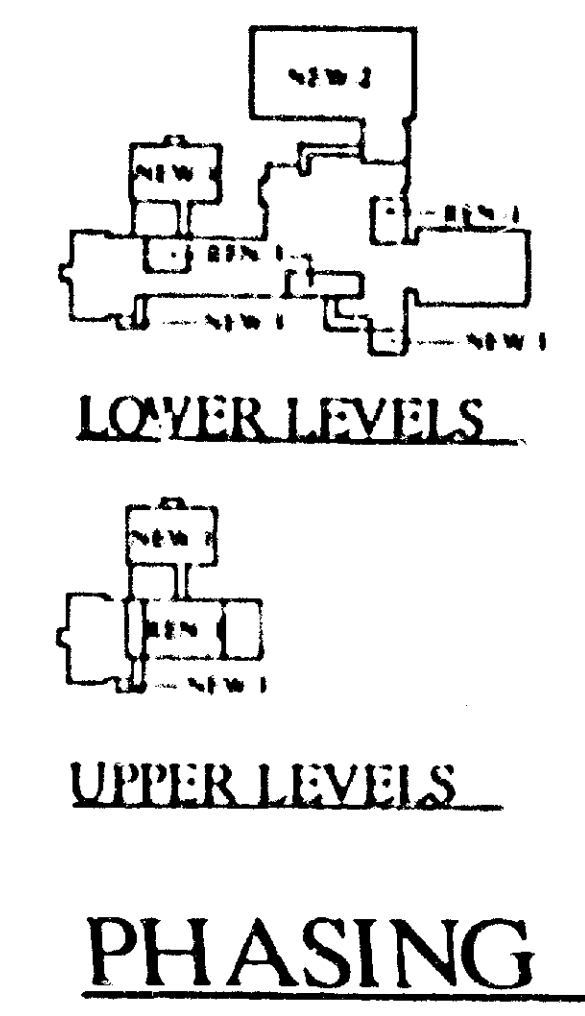
WEST ELEVATION  
1/16" = 1'-0"



SOUTH ELEVATION  
1/16" = 1'-0"



EAST ELEVATION  
1/16" = 1'-0"





**PETITION FOR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a church and private school.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
Vestry of St. James Church  
 (Type or Print Name)  
Myra M. McDonald, Rectory  
 (Signature)  
 (Type or Print Name)  
 Signature

3100 Monkton Road, 771-4466  
 Address Phone No.  
 Monkton, Maryland, 21111  
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
Stephen J. Nolan  
 Name  
300 E. Joppa Road, Suite 1105  
 Address Phone No.  
 Towson, MD 21204 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of Feb, 1988, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of April, 1988, at 2:00 o'clock P.M.

J. Robert Haines  
 Zoning Commissioner of Baltimore County.

REC'D FOR FILING  
 BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 DATE 1/22/88 ACCOUNT 01-615 AMOUNT \$ 100.00  
 RECEIVED FROM Finance Revenue Division  
 FOR Finance Fee for Special Exception Petition

**E. F. RAPHEL & ASSOCIATES**  
 Registered Professional Land Surveyors  
 205 COURTLAND AVENUE  
 TOWSON, MARYLAND 21204

OFFICIAL: 828-3908 DESCRIPTION TO ACCOMPANY ZONING PETITION RESIDENCE: 771-4992

VESTRY OF ST. JAMES PARISH

January 25, 1988

Beginning for the same at the intersection formed by the centerline of Old York Road and Monkton Manor Road, running thence on the centerline of Monkton Manor Road: 1) N 42° 56' W 1008.44'; 2) N 45° W 450'; 3) N 57° W 524.56'; 4) N 54° 34' W 200'; and 5) N 40° 32' W 63.17'; thence leaving Monkton Manor Road and running S 89° 30' E 146' ±, N 0° 30' E 550', S 89° 30' E 700', S 26° 44' E 450' and S 73° 44' E 450' to the centerline of Old York Road, thence on the centerline of Old York Road S 16° 16' W 150.00' and S 0° 30' W 219.45', thence leaving Old York Road, S 87° 59' W 151.00', S 0° 30' W 220.00' and N 87° 59' E 151.00' to the centerline of Old York Road, thence on Old York Road, S 0° 30' W 372.34' and S 3° E 498.68'.

Being part of the property of the Vestry of St. James Parish.

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District 1054 Date of Posting 4/12/88  
 Posted for: Special Exception  
 Petitioner: Vestry of St. James Church  
 Location of property: Monkton Manor Road & Old York Rd.  
3100 Monkton Rd.  
 Location of Signs: Property at Intersection of Monkton Manor  
Old York Rd. across 15 E. roadway on property of Petitioner  
 Remarks:  
 Posted by: [Signature] Date of return: 4/12/88  
 Number of Signs: 1

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
 NW Corner Monkton Manor Rd. &  
 Old York Rd. (3100 Monkton Rd.) : OF BALTIMORE COUNTY  
 10th District  
 VESTRY OF ST. JAMES CHURCH, Case No. 88-427-X  
 Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
 Phyllis Cole Friedman  
 People's Counsel for Baltimore County

Peter Max Zimmerman  
 Peter Max Zimmerman  
 Deputy People's Counsel  
 Room 223, Court House  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 29th day of March, 1988, a copy of the foregoing Entry of Appearance was mailed to Stephen J. Nolan, Esquire, Suite 1105, Hampton Plaza, 300 E. Joppa Rd., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman  
 Peter Max Zimmerman

**"DUPLICATE"**  
 CERTIFICATE OF PUBLICATION

TOWSON, MD. March 30, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 30, 1988.

TOWSON TIMES,  
Susan Linder Obrecht  
 Publisher  
 \$52.20

NOTICE OF HEARING  
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at 111 W. Chesapeake Avenue in Towson, Maryland, on the 20th day of April, 1988, at 2:00 p.m. For the purpose of the hearing, the following information is being provided:  
 Petition for Special Exception  
 Case number 88-427-X  
 NW Corner Monkton Manor Road & Old York Road  
 (3100 Monkton Road)  
 10th Election District  
 Petitioner(s): Vestry of St. James Church  
 Hearing Date: Wednesday, April 20, 1988 at 2:00 p.m.  
 Special Exception: A church and private school.  
 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing or the hearing set above or presented at the hearing.

**"DUPLICATE"**  
 CERTIFICATE OF PUBLICATION

TOWSON, MD. March 31, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 31, 1988.

THE JEFFERSONIAN,  
Susan Linder Obrecht  
 Publisher  
 \$33.75

NOTICE OF HEARING  
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at 111 W. Chesapeake Avenue in Towson, Maryland, on the 20th day of April, 1988, at 2:00 p.m. For the purpose of the hearing, the following information is being provided:  
 Petition for Special Exception  
 Case number 88-427-X  
 NW Corner Monkton Manor Road & Old York Road  
 (3100 Monkton Road)  
 10th Election District  
 Petitioner(s): Vestry of St. James Church  
 Hearing Date: Wednesday, April 20, 1988 at 2:00 p.m.  
 Special Exception: A church and private school.  
 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing or the hearing set above or presented at the hearing.

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of February, 1988.

J. Robert Haines  
 J. ROBERT HAINES  
 ZONING COMMISSIONER

Petitioner: Vestry of St. James Church Received by: Stephen J. Nolan  
 Petitioner's Attorney: Stephen J. Nolan Chairman, Zoning Plans Advisory Committee

**BALTIMORE COUNTY, MARYLAND**  
 INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
 TO: Zoning Commissioner Date: April 11, 1988

P. David Fields  
 FROM: Director of Planning and Zoning

SUBJECT: Zoning Petition No. 88-427-X

This office is supportive of the proposed expansion, but is concerned with the proposed location of the addition. Were the addition planned in an "L-shape" or in some other fashion, the extensive grading and the concomitant problems could be avoided.

P. David Fields  
 P. David Fields  
 Director

PDF:JCH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
 File

RECEIVED  
 APR 12 1988  
 ZONING OFFICE

Baltimore County  
 Zoning Commissioner  
 Office of Planning & Zoning  
 Towson, Maryland 21204  
 494-3353

J. Robert Haines  
 Zoning Commissioner

MAR 04 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception  
 Case number 88-427-X  
 NW Corner Monkton Manor Road & Old York Road  
 (3100 Monkton Road)  
 10th Election District- 3rd Councilmanic District  
 Petitioner(s): Vestry of St. James Church  
 HEARING SCHEDULED: WEDNESDAY, APRIL 20, 1988 at 2:00 p.m.

Special Exceptions: A church and private school.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
 J. ROBERT HAINES  
 Zoning Commissioner of Baltimore County

cc: Rev. MacDonald  
 Stephen J. Nolan, Esq.  
 File

Baltimore County  
 Zoning Commissioner  
 Office of Planning & Zoning  
 Towson, Maryland 21204  
 494-3353

J. Robert Haines  
 Zoning Commissioner

Date: 4/1/88

Rev. MacDonald  
 Vestry of St. James Church  
 3100 Monkton Road  
 Monkton, Maryland 21111

Re: Petition for Special Exception  
 Case number 88-427-X  
 NW Corner Monkton Manor Road & Old York Road  
 (3100 Monkton Road)  
 10th Election District- 3rd Councilmanic District  
 Petitioner(s): Vestry of St. James Church  
 HEARING SCHEDULED: WEDNESDAY, APRIL 20, 1988 at 2:00 p.m.

Dear Rev. MacDonald:

Please be advised that 7:00 P.M. is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 50534

DATE 4/20/88 ACCOUNT Finance Revenue U.S.  
 AMOUNT \$ 100.00  
 RECEIVED FROM Finance Revenue Division  
 FOR Finance Fee for Special Exception Petition



April 14, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.

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## MODELING

Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial

Stephen J. Nolan, Esquire  
Suite 1105, Hampton Plaza  
300 E. Joppa Road  
Towson, Maryland 21204

RE: Item No. 272 - Case No. 88-427-X  
Petitioner: Vestry of St. James Church  
Petition for Special Exception

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the proposed plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled to take place on \_\_\_\_\_.

Very truly yours

James E. Dyer/et  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

750. dt

ENCLOSURES

cc: E. F. Raphael & Associates  
205 Courtland Avenue  
Towson, Maryland 21204

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494.3554

March 2, 1988



Dennis F. Rasmussen

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Holmes:

The Bureau of Traffic Engineering has no comments for items numbers 269, 270, 271, (272), 273, 275, 276, 277 and 278.

Very truly yours

Michael S. Flanigan  
Traffic Engineer Associate II

MSE/p=1.1

RECEIVED  
MAR 9 1968  
TRAINING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21204-258  
494-4500

**Paul H. Reinecke**

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

February 4, 1988



Dennis F. Rasmussen

Re: Property Owner: Vestry of St. James Church

Location: NW/4 Monkton Manor Rd. and Old York Rte

24 27

Spring Agenda: Meeting of 2/9/11

Cont 1 amon

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

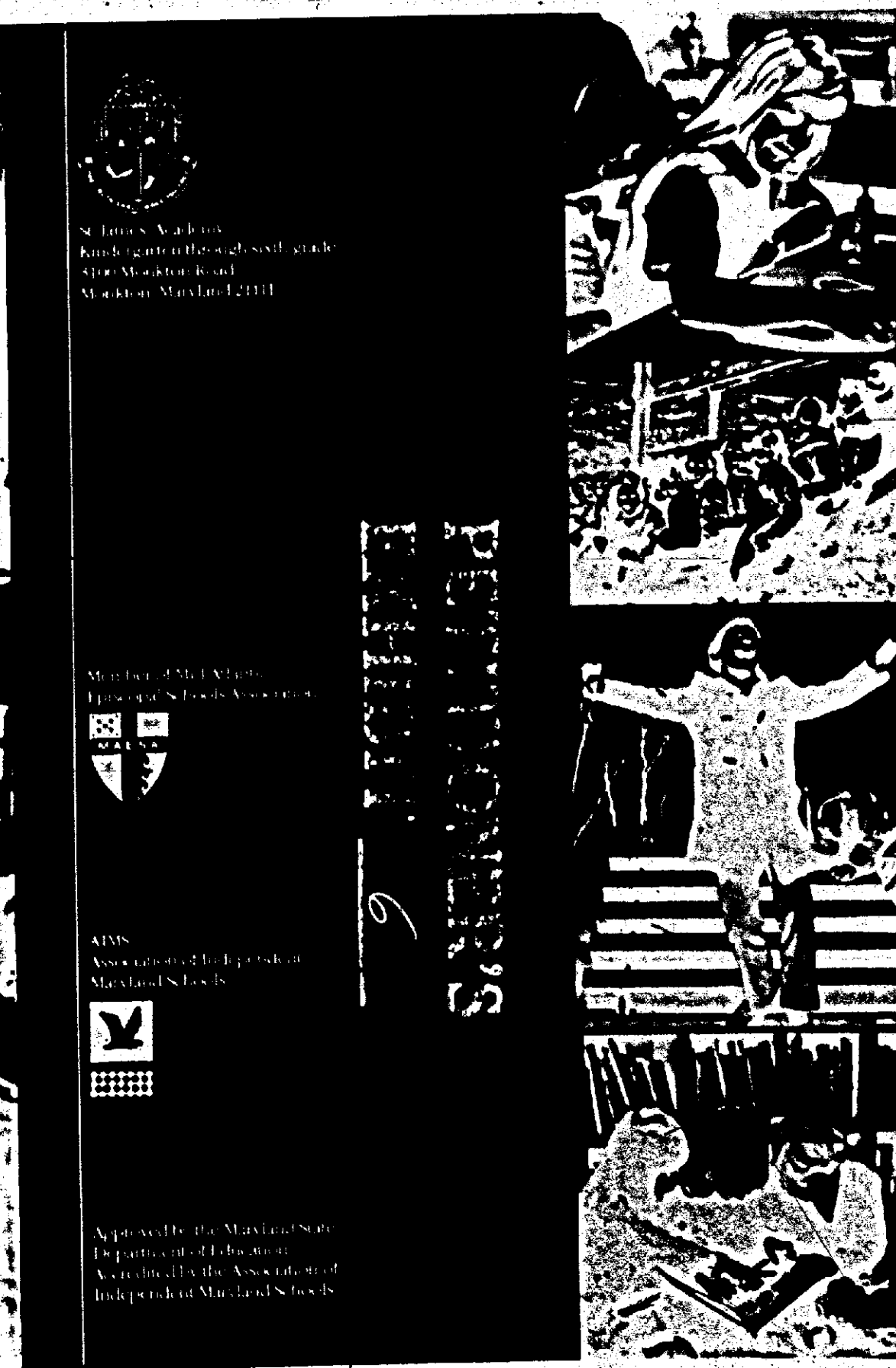
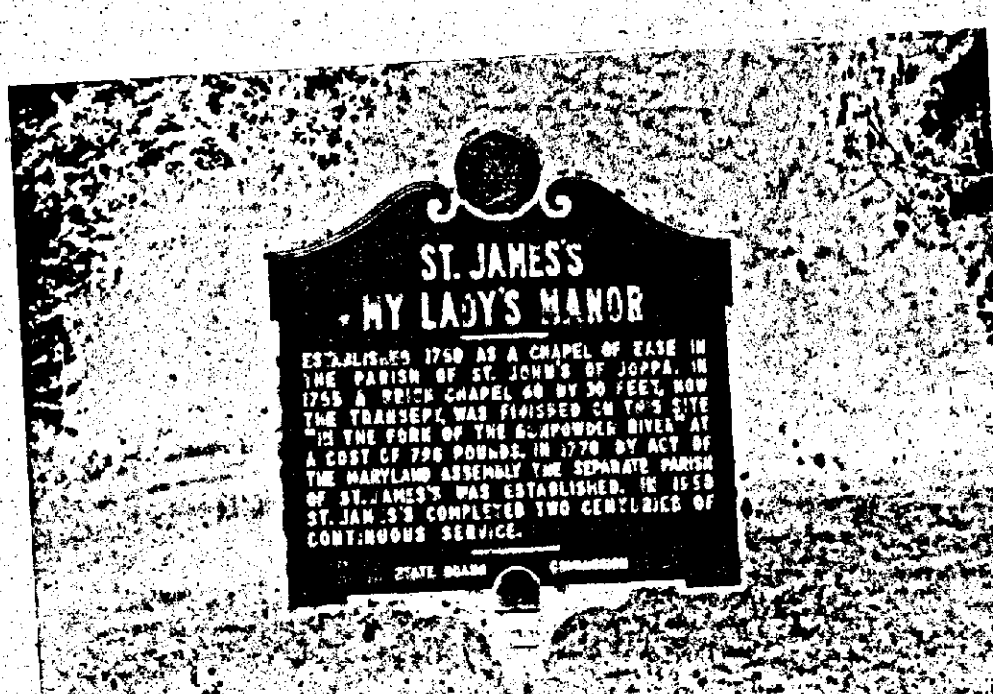
- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department

- ( x ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( x ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Raymond Kelly 2-5-88 Noted and Approved: John #6  
Blaming Group Fire Prevention Bureau  
Special Inspection Division

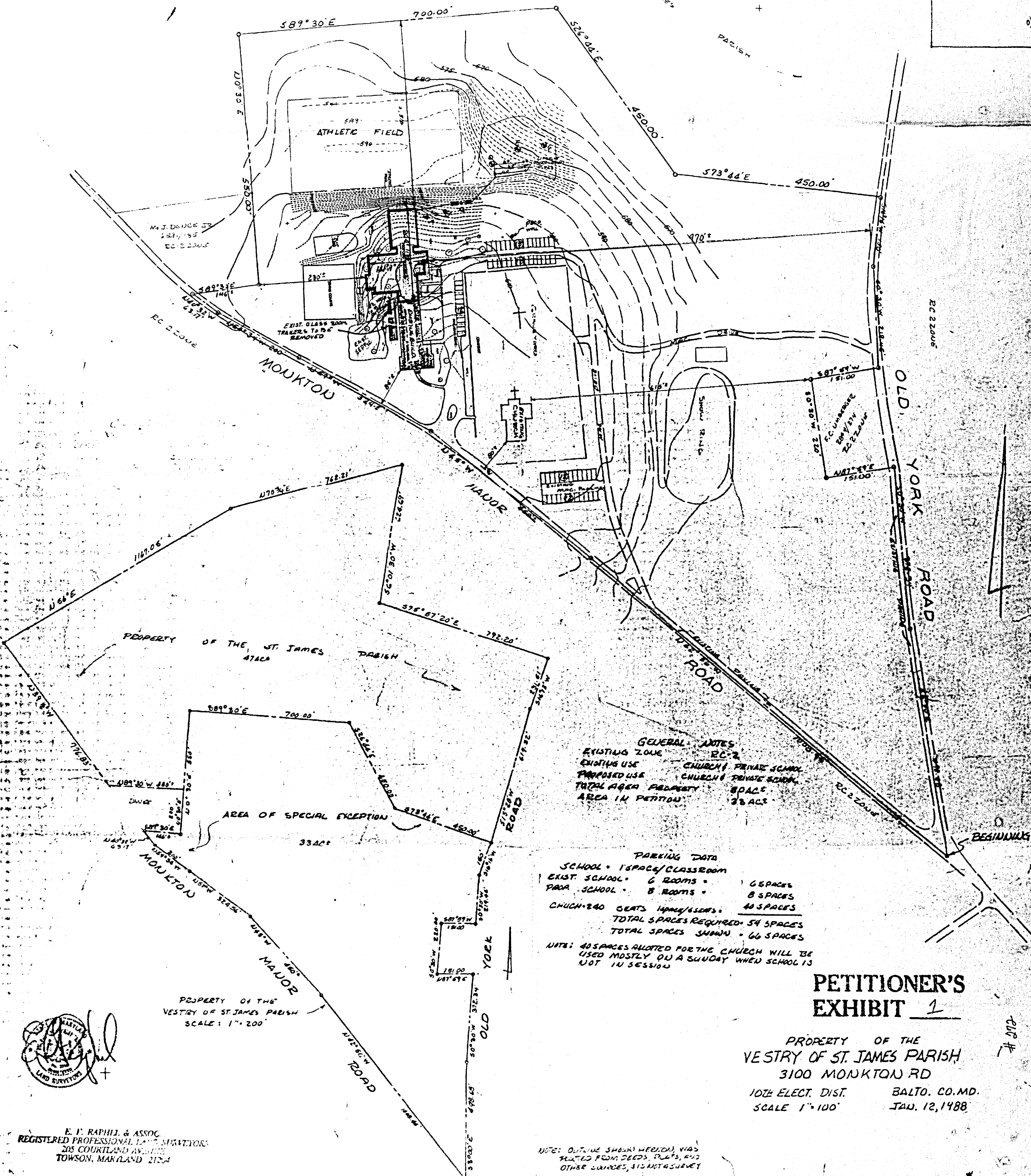
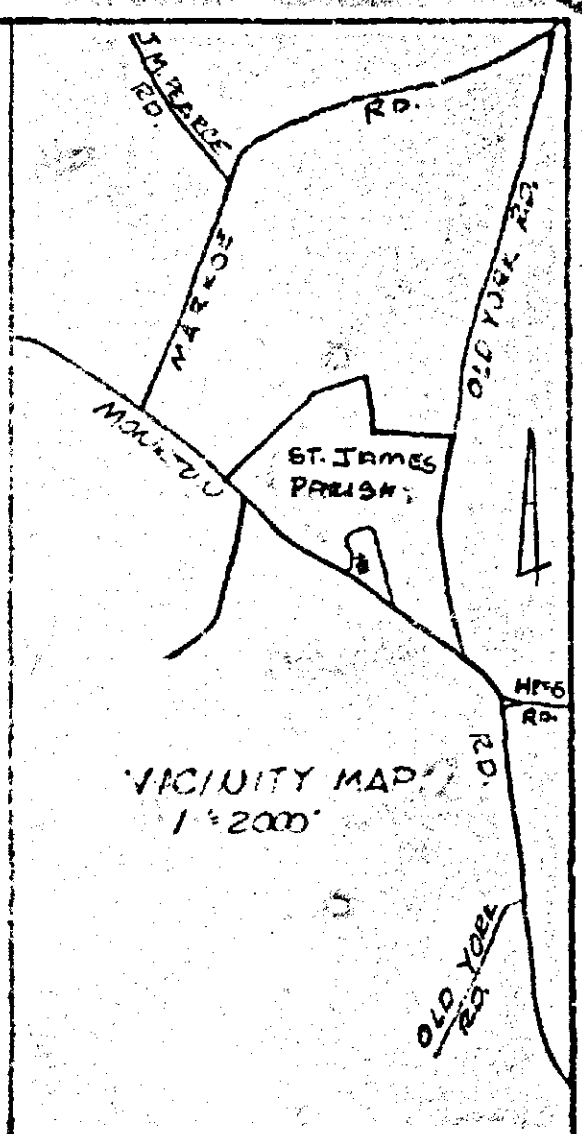
\*Water for fire protection shall be provided in accordance with Urban Guide for Fire Prevention & Control Master Planning.





PROPERTY OF THE VESTRY OF

ST. JAMES PARISH



GENERAL NOTES

EXISTING ZONE	RC-2
EXISTING USE	CHURCH & PRIVATE SCHOOL
PROPOSED USE	CHURCH & PRIVATE SCHOOL
TOTAL AREA PROPERTY	86 AC
AREA IN PETITION	33 AC

PARKING DATA

SCHOOL	1 SPACE/CLASSROOM
EXIST. SCHOOL	6 ROOMS = 6 SPACES
PROA. SCHOOL	8 ROOMS = 8 SPACES
CHURCH	240 SEATS 1400/6500'S = 40 SPACES
TOTAL SPACES REQUIRED	54 SPACES
TOTAL SPACES SHOWN	66 SPACES

NOTE: 40 SPACES ALLOTTED FOR THE CHURCH WILL BE USED MOSTLY ON A SUNDAY WHEN SCHOOL IS NOT IN SESSION

# PETITIONER'S EXHIBIT 1

PROPERTY OF THE  
 VESTRY OF ST. JAMES PARISH  
 3100 MONKTON RD  
 10TH ELECT. DIST. BALTO. CO. MD.  
 SCALE 1"=100' JAN. 12, 1988



E. F. RAPHI & ASSOC.  
 REGISTERED PROFESSIONAL LAND SURVEYORS  
 205 COURTLAND AVENUE  
 TOWSON, MARYLAND 21204

NOTE: OUTLINE SHOWN HEREON WAS PLATTED FROM DEEDS, PLATS, AND OTHER SOURCES, THIS NOT A SURVEY





111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 15, 1994

Mr. Stephen J. Nolan, Esquire  
Nolan, Plumbhoff & Williams  
Suite 700, Court Towers  
210 West Pennsylvania Avenue  
Towson, MD 21204-5340

RE: Revised Zoning Verification  
for approval of spirit and  
intent of plan changes in Case  
No. 88-427-X.

Dear Mr. Nolan:

The ongoing discussion and letter correspondence concerning a revision of a zoning approval to the Vestry of Saint James has resulted in the following conclusion.

A revised plan showing a 23% increase in building area (for classrooms and parish offices) and a copy of a letter from K. Lee Riley, Jr. of the Greater Spawks-Glenview Community Council dated March 17, 1994 to Mr. William Hughes which states his support for this construction have been reviewed by our staff. Based on the provided information, the 6,496 square foot addition (each floor) representing a 23% increase overall is approved as being within the spirit and intent of the zoning order and plan in case number 88-427-X. No zoning hearing is required to approve this revised plan.

Please document this response on all future plans presented for zoning review. Should you have any questions, please do not hesitate to contact me at 887-3391.

Sincerely,

John L. Lewis  
Planner II

JLL:jaw

cc: Mr. Eugene Raphael  
Case No. 88-427-X



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 20, 1993

Mr. Stephen J. Nolan, Esquire  
Nolan, Plumbhoff & Williams  
Suite 700, Court Towers  
210 West Pennsylvania Avenue  
Towson, MD 21204-5340

RE: Zoning Verification and Exemption Status  
Vestry of Saint James  
Proposed 9,000 square foot addition  
NW side of Monkton Road at West Side of  
York Road  
Zoning Case No.: 88-427-X  
10th Election District

Dear Mr. Nolan:

This letter is in response to your correspondence (with subsequent conversations and plan submittals) which is addressed in the order listed in your letter dated November 20, 1992 as follows:

The staff has reviewed your proposal and based on the information provided has determined that the proposed construction of the two story, 9,000 square foot addition (for classroom and parish offices) shown on the red lined site plan (at the original septic field) is within the spirit and intent of the original approved order and plan in zoning case, 88-427-X. A special zoning hearing will not be required to amend the case, however a revised approved red lined plan showing only the 9,000 square foot proposed addition with adequate parking per Section 409 of the Baltimore County Zoning Regulations and referencing this letter must be submitted for inclusion in the zoning case file.

Please be aware that a second addition shown to the north of the above referenced addition as shown on the red lined plan received for review with your letter of November 20, 1992 will require a zoning special hearing for amending the approved plan. All requirements of the (blue) commercial checklist must be provided on the building permit plans for final zoning approvals.



Mr. Stephen J. Nolan  
Vestry of Saint James  
January 20, 1993  
Page 2

Concerning your request for confirmation of entitlement to a limited exemption under Section 26-171(A).(2) and (7), the Development Review Committee reviewed the 9,000 square foot addition on January 19, 1993 and has determined that the project is exempt under Section 26-171 (A).(7) as the construction of a minor commercial structure.

Should you require further information, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis  
Planner II

JLL:jaw

cc: Don Roscoe  
Zoning Case File

SUBJECT: CONCEPT PLAN COMMENTS  
FROM: PDM - ZONING REVIEW

CPC DATE: 11/10/87  
9:00 a.m., Room 123

PROJECT NAME: St. James Academy

PLAN DATE: 9/29/87

LOCATION: NWC Old York Road and Monkton Road

DISTRICT: 10c6

PROPOSAL: Church & Expansion of School & Cemetery

ZONING: R.C.-2

The following information must be shown on the development plan, so that a review for compliance with the Baltimore County Zoning Regulations can be made.

- Signs:** Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs. Clearly indicate the type, height, dimensions, square footage, single or double face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine compliance with the BCZR, Section 450 and all zoning sign policies or a zoning variance is required.
- History:** Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number 88-427-X. Clarify if any special exception was ever utilized within the required 2 year period in accordance with Section 502.3 (BCZR). Also list the item number (or case number) of the zoning hearings that are being requested. The requests should be keyed to the appropriate location on the plan.
- Changes and Final Site Specific Building and Use Plan:** When the final size, height, location, setbacks and separation of the proposed building and uses are available or if the development plan or building permit plan is revised so as not to be in accordance with the zoning public hearing plan and restrictions, the changes and details must be included on a red-lined zoning hearing plan and submitted to the zoning commissioner for review and approval. All changes must be itemized on a cover letter and submitted with the plans. The site specific plan must be submitted for approval well in advance of any expected final zoning approvals (see above) due to the fact that any changes may require another public hearing if not found to be within the spirit and intent of the original plan and order.
- Parking, Driveways, Surface:** Dimension on the plan print and note that all driveways and parking aisles will comply with Section 409.4 (BCZR). Driveways - 12 ft. wide for one-way and 20 ft. wide for two-way traffic (Section 409.4.C BCZR). 50 degree parking angle requires 22 ft. for one or two-way aisles. Provide a dimensioned parking space/aisle detail on the plan. Note that all parking, maneuvering and aisle areas will be paved (indicate type) and permanently striped. Label proposed curbs and/or parking wheel stops on the plan.

(Over)

CONCEPT PLAN COMMENTS  
PROJECT NAME: St. James Academy  
CPC DATE: 11/10/87  
PAGE 2

- Indicate all setbacks of existing and proposed structures to the property lines and zoning use division lines. Setbacks that do not comply with the BCZR must be varnished.

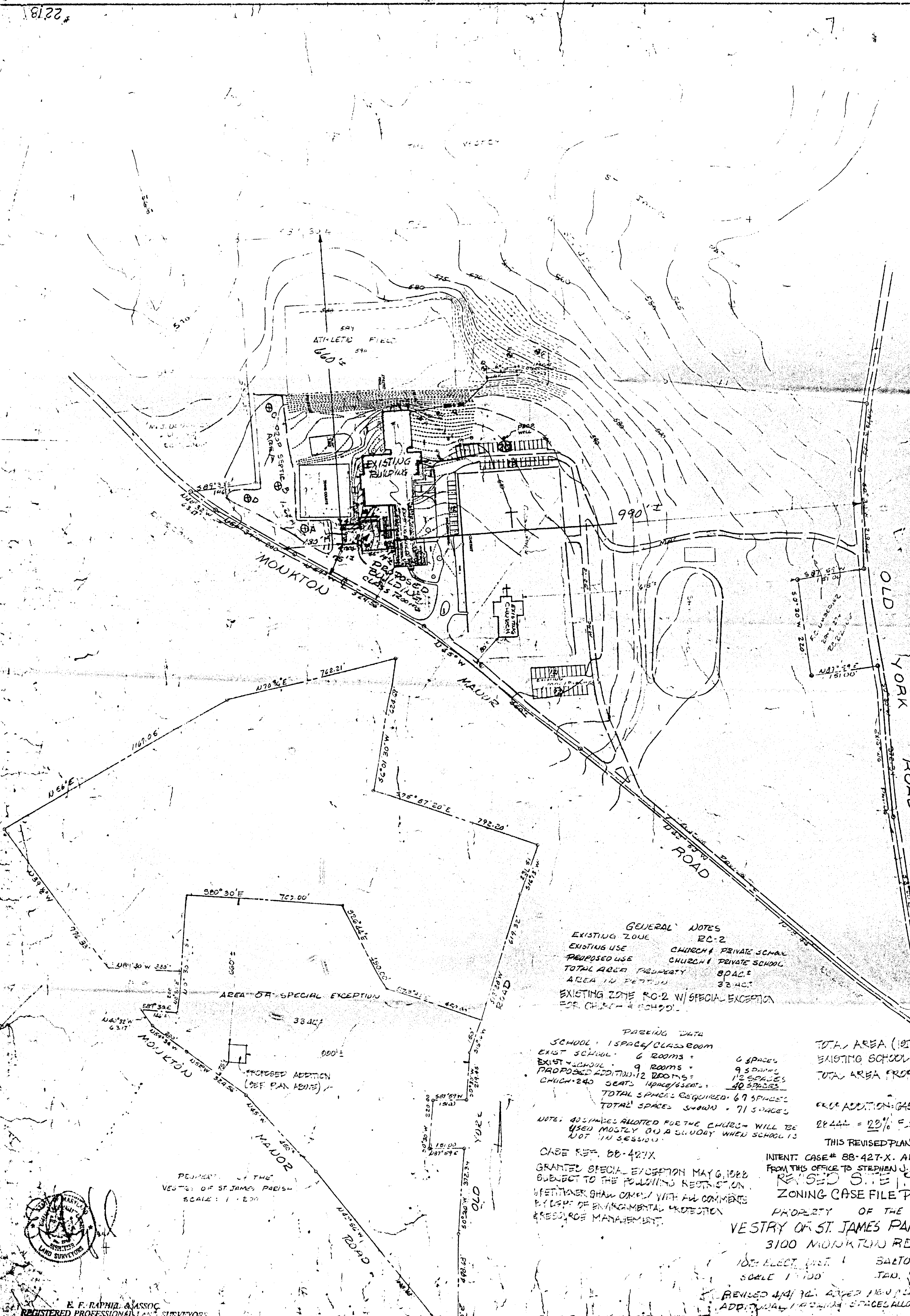
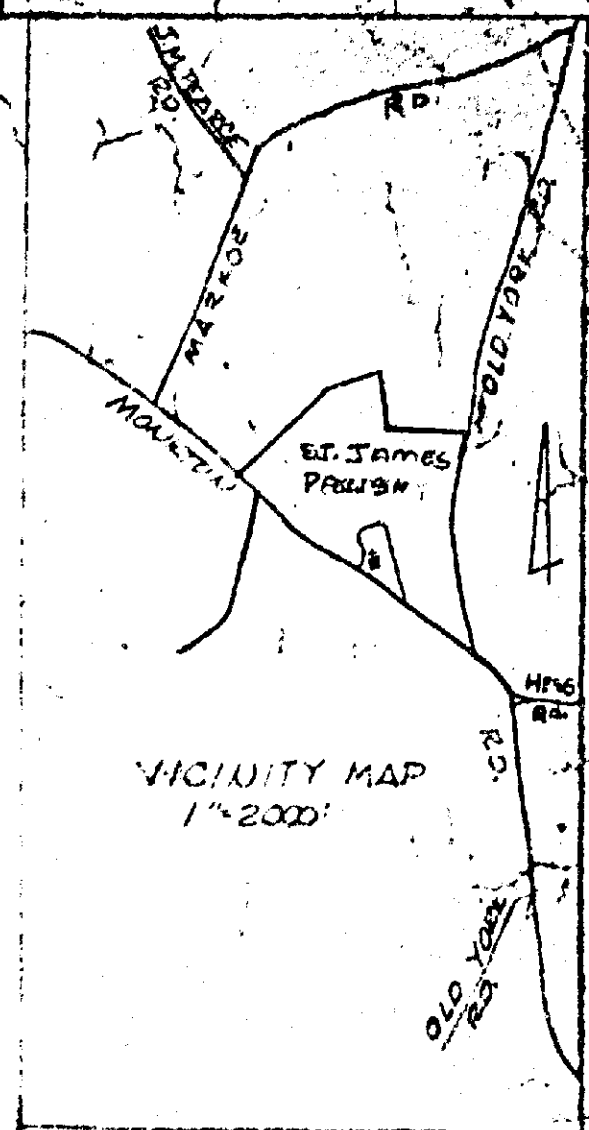
Final zoning approval is contingent first upon all plan comments being addressed on the development plan; secondly upon the final resolution of all comments, the outcome of any requested zoning hearings; and finally the inclusion of the blue commercial checklist information being included on the building permit site plans.

CATHERINE A. MILTON  
Planner II  
Zoning Review

CAM:scj

cc: Zoning Case #88-427-X





**GENERAL NOTES**  
EXISTING ZONE RC-2  
EXISTING USE CHURCH / PRIVATE SCHOOL  
PROPOSED USE CHURCH / PRIVATE SCHOOL  
TOTAL AREA PROPERTY 80 AC.  
AREA IN PETITION 38 AC.  
EXISTING ZONE RC-2 W/ SPECIAL EXCEPTION FOR CHURCH & SCHOOL

**PARKING DATA**  
SCHOOL: 1 SPACE/CLASSROOM  
EXIST SCHOOL: 6 ROOMS = 6 SPACES  
EXIST SCHOOL: 9 ROOMS = 9 SPACES  
PROPOSED ADDITION: 12 ROOMS = 12 SPACES  
CHURCH: 240 SEATS 1 SPACE/6 SEATS = 40 SPACES  
TOTAL SPACES REQUIRED: 67 SPACES  
TOTAL SPACES SHOWN: 71 SPACES

NOTE: 40 SPACES ALLOTTED FOR THE CHURCH WILL BE USED MOSTLY ON A SUNDAY WHEN SCHOOL IS NOT IN SESSION.

CASE REF. 88-427X  
GRANTED SPECIAL EXCEPTION MAY 6, 1988  
SUBJECT TO THE FOLLOWING RESTRICTIONS:  
PETITIONER SHALL COMPLY WITH ALL COMMENTS BY DEPT. OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.

TOTAL AREA (1ST FLOOR, 4/1984)  
EXISTING SCHOOL = 28,444 SF.  
TOTAL AREA PROPOSED ADDITION 6,400 SF  
GROSS ADDITION: 6,400 / EXISTING SCHOOL  
28,444 = 23% FLOOR AREA INCREASE

THIS REVISED PLAN APPROVED FOR SPIRIT AND

INTENT: CASE # 88-427-X. ALSO SEE LETTER RESPONSE FROM THIS OFFICE TO STEPHEN J. NOLAN (PENTACOSTAL CHURCH)

**REVISED SITE PLAN**

**ZONING CASE FILE PLAN**

PROPERTY OF THE  
**VESTRY OF ST. JAMES PARISH**  
3100 MONKTON RD

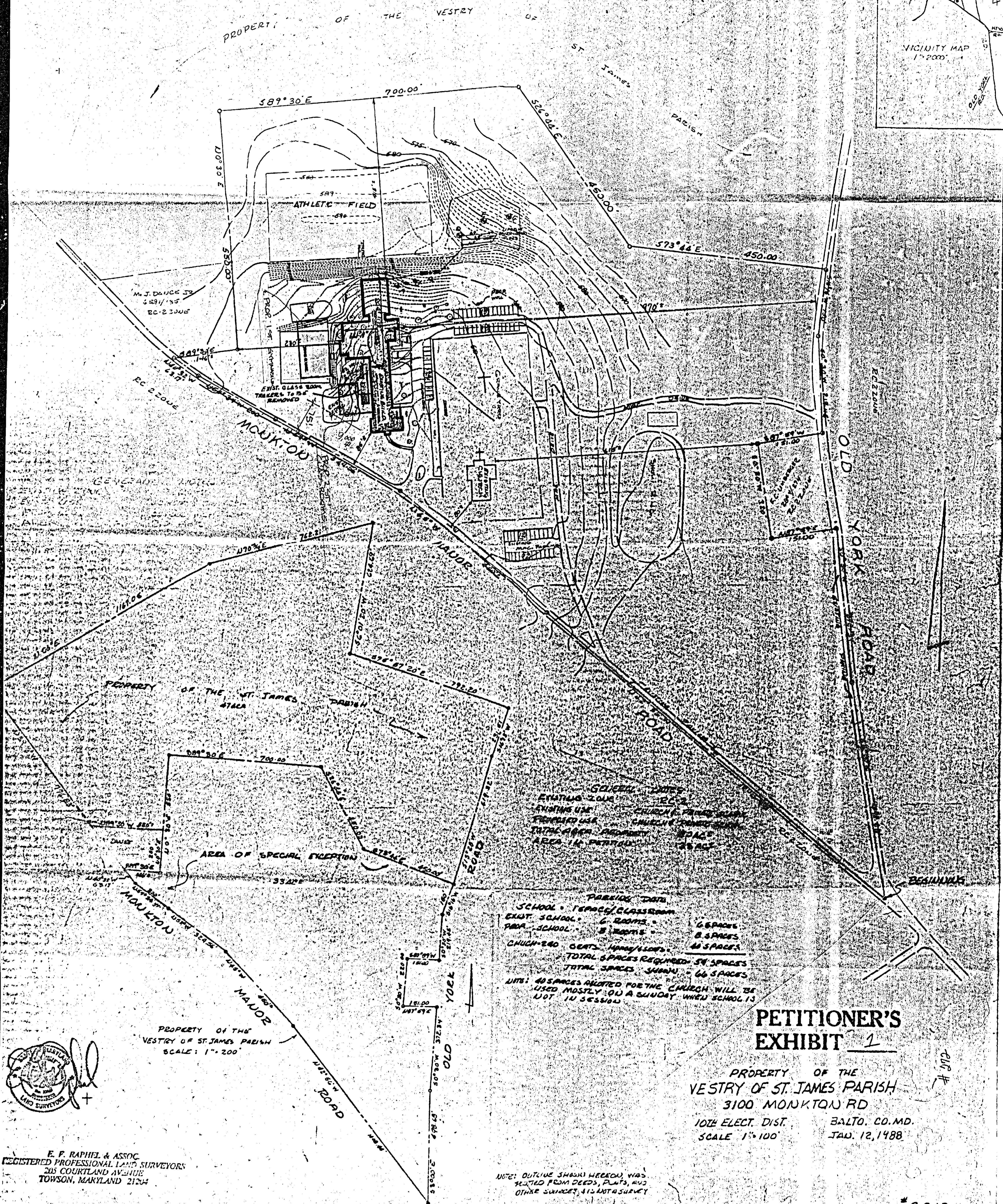
100' ELECT. DIST. BALTO. CO. MD.  
SCALE 1"=100' TAD. 3,1488'

REVISED 4/4/92. ADDED 1600 PLANS, ROOMS  
ADDITIONAL 16000 SF SPACES ALLOTTED TO CLASS ROOMS (12)



E. F. RAPPIN & ASSOC.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
205 COURTLAND AVENUE  
TOWSON, MARYLAND 21204



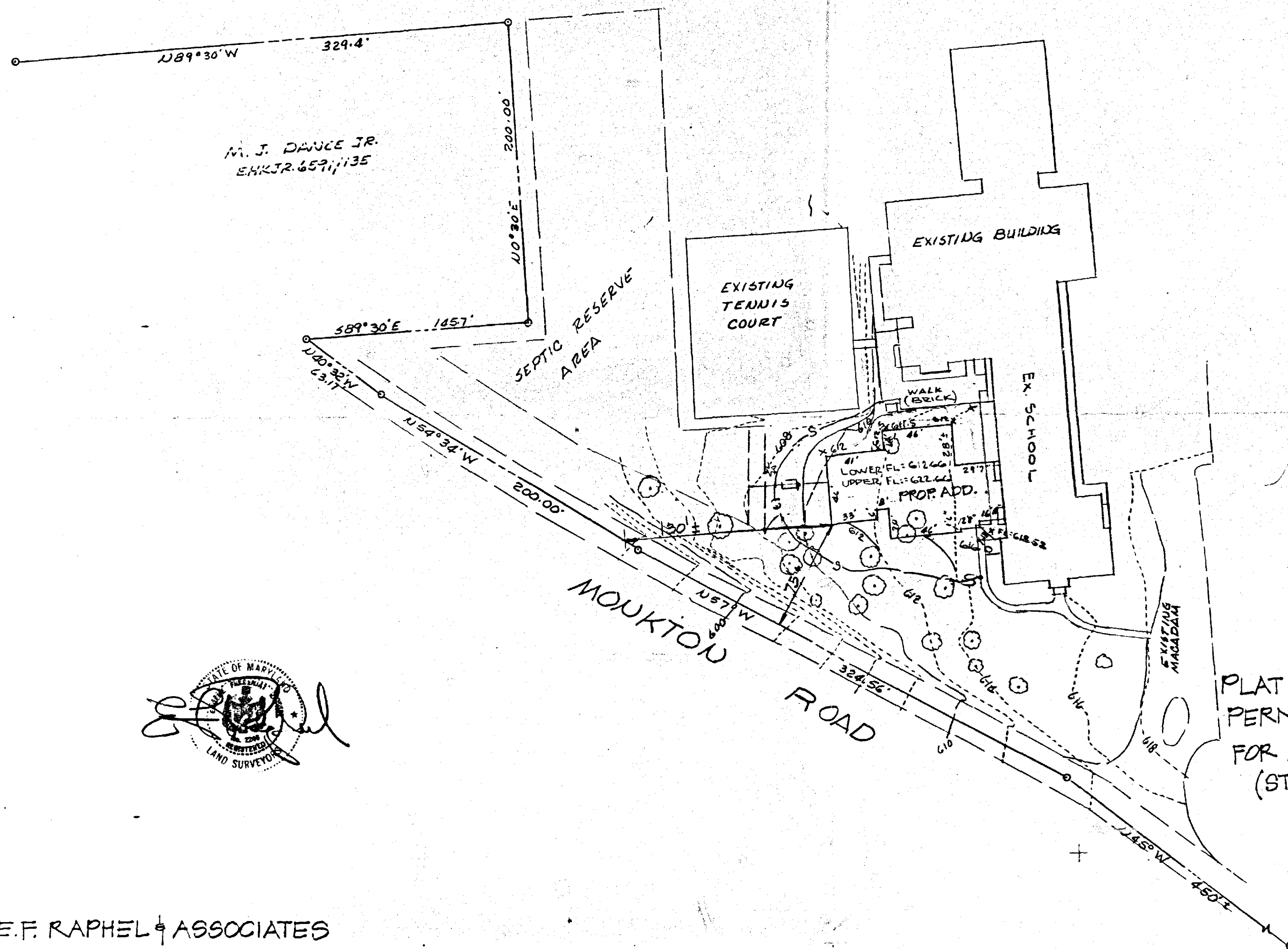
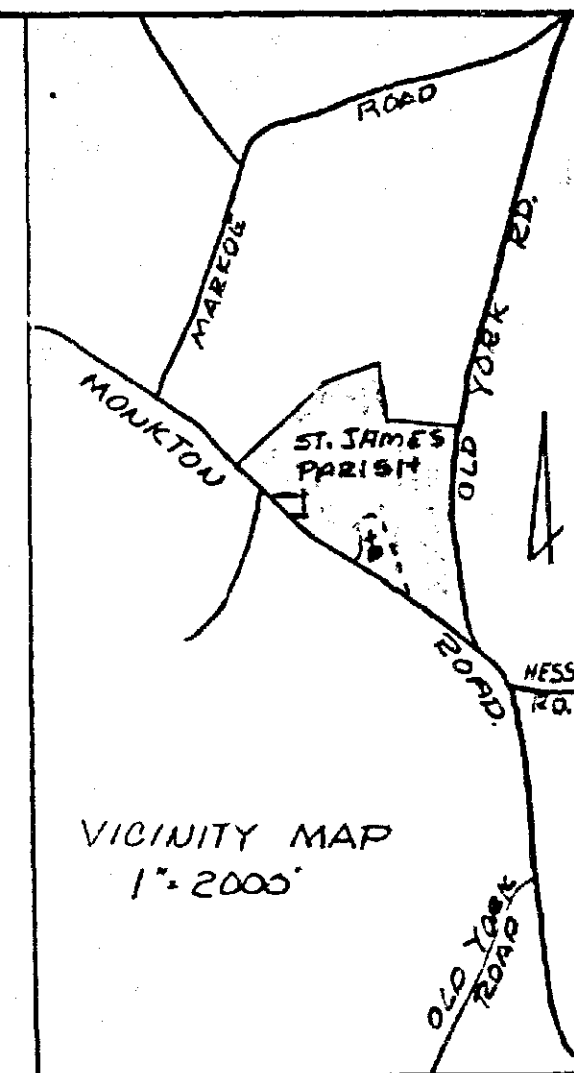


**PETITIONER'S  
EXHIBIT 2**

PROPERTY OF THE  
VESTRY OF ST. JAMES PARISH  
3100 MONKTON RD  
10TH ELECT. DIST. BALTO. CO. MD.  
SCALE 1"=100' JAN. 12, 1988

9,000 \$ ADDITIONAL FOR CLASS RM + PARISH OFFICES 2218  
OK FOR SPIRIT + INTENT. SEE LTR. OF JAN 20, 1993  
THE GYM ADDITION WILL REQUIRE A PUBLIC HEARING.





E.F. RAPHEL & ASSOCIATES  
205 COURTLAND AVENUE  
TOWSON, MD 21204  
825-3008

PLAT TO ACCOMPANY  
PERMIT APPLICATION  
FOR ADDITION TO SCHOOL  
(ST. JAMES ACADEMY)

PROPERTY OF THE  
VESTRY OF ST. JAMES PARISH  
3100 MONKTON RD.  
10TH ELECT. DIST. BALTO. CO. MD.  
SCALE: 1"=50' APRIL 6, 1994



# SITE PLAN

1" = 50'



# SITE PLAN

1" = 50'



RUBELING  
ASSOCIATES  
ARCHITECTS

1000 W. MONKTON ROAD  
ANNAPOLIS, MD 21403  
(410) 293-1000

Called later today 9/17/93  
re visit to site. I plan to  
visit on 10/1/93. I plan  
to visit on 10/1/93. I plan  
to visit on 10/1/93. I plan

1000 W. MONKTON ROAD  
ANNAPOLIS, MD 21403  
(410) 293-1000

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(410) 293-1000

# ST. JAMES ACADEMY

ANNAPOLIS, MD 21403

1000 W. MONKTON ROAD

NO.	DATE	DESCRIPTION
1	9/17/93	Initial site visit
2	9/24/93	Second site visit
3	10/1/93	Third site visit
4	10/8/93	Fourth site visit
5	10/15/93	Fifth site visit
6	10/22/93	Sixth site visit
7	10/29/93	Seventh site visit
8	11/5/93	Eighth site visit
9	11/12/93	Ninth site visit
10	11/19/93	Tenth site visit

NO.	DATE	DESCRIPTION
11	11/26/93	Eleventh site visit
12	12/3/93	Twelfth site visit
13	12/10/93	Thirteenth site visit
14	12/17/93	Fourteenth site visit
15	12/24/93	Fifteenth site visit
16	1/7/94	Sixteenth site visit
17	1/14/94	Seventeenth site visit
18	1/21/94	Eighteenth site visit
19	1/28/94	Nineteenth site visit
20	2/4/94	Twentieth site visit

NO.	DATE	DESCRIPTION
21	2/11/94	Twenty-first site visit
22	2/18/94	Twenty-second site visit
23	2/25/94	Twenty-third site visit
24	3/4/94	Twenty-fourth site visit
25	3/11/94	Twenty-fifth site visit
26	3/18/94	Twenty-sixth site visit
27	3/25/94	Twenty-seventh site visit
28	4/1/94	Twenty-eighth site visit
29	4/8/94	Twenty-ninth site visit
30	4/15/94	Thirtieth site visit

NO.	DATE	DESCRIPTION
31	4/22/94	Thirty-first site visit
32	4/29/94	Thirty-second site visit
33	5/6/94	Thirty-third site visit
34	5/13/94	Thirty-fourth site visit
35	5/20/94	Thirty-fifth site visit
36	5/27/94	Thirty-sixth site visit
37	6/3/94	Thirty-seventh site visit
38	6/10/94	Thirty-eighth site visit
39	6/17/94	Thirty-ninth site visit
40	6/24/94	Fortieth site visit